

REMARKS

Claims 1-5, 7-13, and 15-20 are pending in the application. Claims 1, 7-9, 12-13, 15-16, and 19 have been amended. Further, Claims 6 and 14 have been cancelled. No new matter has been added by the amendment.

Rejection Under 35 U.S.C. § 112, Second Paragraph

Claims 8-20 have been rejected for use of the phrase “rotated about 90° from the axis.” This rejection is overcome in view of the cancellation of this phrase from independent claims 8 and 16.

Claim 19 has been rejected for use of the term “it’s.” This rejection is overcome in view of the amendment deleting the term “it’s” from the claim and replacing this term with equivalent language that explicitly sets forth that the sheet of cheese is cut along a width of the continuous sheet.

Rejection Under 35 U.S.C. § 102(b)

Claims 1-5 and 8-13 have been rejected over Payton. This rejection is overcome in view of the amendment of independent Claims 1 and 8 in which the term “block of material” has been changed to “block of material comprising cheese.” Claims 1 and 8 have also been amended to add subject matter from cancelled claims 6 and 14 respectively.

Claims 2-5 depend either directly or indirectly from Claim 1 and are allowable in view of the amendment of Claim 1.

Claims 9 and 12-13 have been amended in view of the amendment of Claim 8 from which they depend and are allowable in view of the amendment of Claim 8.

Allowable Subject Matter

Claims 16-20 were indicated as allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph. The applicant asserts that these claims are now allowable in view of the amendment of Claim 16.

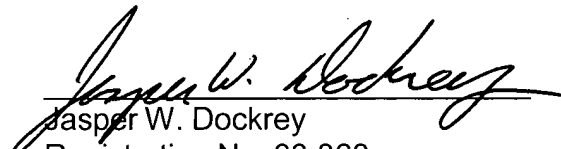
Claims 6-7 were objected to as being dependent upon a rejected base claim, but were indicated as allowable if rewritten to include all limitations of the base claim and any intervening claims. Accordingly, Claim 1 has been amended and Claim 6 has been

cancelled. Further, the dependency of Claim 7 has been changed from Claim 6 to Claim 1.

Claims 14-15 were indicated as allowable if rewritten to overcome the rejection under 35 U.S.C. §112, second paragraph. Accordingly, Claim 8 has been amended to include the subject matter of Claim 14 and Claim 14 has been cancelled. Further, the dependency of Claim 15 has been changed from Claim 14 to Claim 8.

The applicants have made a novel and non-obvious contribution to the art of food shredding technology. The claims at issue distinguish over the cited references and are in condition for allowance. Accordingly, such allowance is now earnestly requested.

Respectfully submitted,


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